

**STUDENT
DISCIPLINE
GUIDELINES
2003**

**FOR USE WITH
DISTRICT
CODES
OF ACCEPTABLE BEHAVIOR
AND DISCIPLINE**

STUDENT DISCIPLINE GUIDELINES

INTRODUCTION

For decades, both research and practice indicate that students learn at highest levels in a safe, orderly environment that addresses individualized learning styles. When students are actively engaged in school – both instructionally and behaviorally – they are motivated learners with academic successes.

Optimal school discipline supports instructional practices, and include students, families, educators, and the community in the creation and use of student discipline codes and procedures.

To achieve optimal learning conditions, schools and districts must develop and implement discipline policies and practices that promote safe, orderly educational campuses. Such policies and practices are described in the local district discipline code, which the local school board approves and the local school council reinforces with defined practices and procedures.

This student discipline guidelines document has been prepared to assist educators, parents, and community members in developing or refining current district discipline codes. Local boards and school councils are urged to annually involve a cross section of their community in the development and review of their discipline codes.

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SECTION I.

A. Legislation Related to the Student Discipline Guidelines

House Bill 330

Section 11, KRS 158.148

- (1) The Department of Education shall develop;
 - (a) Statewide discipline guidelines to ensure safe schools; Recommendations designed to improve the learning environment, student achievement, and to reduce the dropout rate in the state's public schools.
- (2) The Department shall obtain statewide data on major discipline problems (Safe School Data Project) and reasons why students drop out of school (School District Dropout Survey). In addition, identify successful strategies currently being used in programs in Kentucky and other states and shall incorporate these strategies into the statewide discipline guidelines and recommendations to improve the learning environment and to reduce dropouts.
- (3) Copies of the discipline guidelines shall be distributed to all school districts. The statewide guidelines shall contain broad principles to guide local school districts in developing their own discipline code and school councils in the selection of discipline and classroom management techniques under Section 13 of this Act; and in the development of the district-wide safety plan.
- (4) Each local board of education shall be responsible for formulating a code of acceptable behavior and discipline to apply to the students in each school operated by the board.
 - (a) The superintendent, or designee, shall be responsible for overall implementation and supervision, and each school principal shall be responsible for administration and implementation within each school. Each school council shall select and implement the appropriate discipline and classroom management techniques necessary to carry out the code. The board shall establish a process for a two-way communication system for teachers and other employees to notify a principal, supervisor, or other administrator of an existing emergency.

(b) The code shall contain the type of behavior expected from each student, the consequences of failure to obey standards, and the importance of the standards to the maintenance of a safe learning environment where orderly learning is possible and encouraged.

(c) The principal of each school shall apply the code of behavior and discipline uniformly and fairly to each student at the school without partiality or discrimination.

(d) A copy of the code of behavior and discipline adopted by the board of education shall be posted at each school. Guidance counselors shall be provided copies for discussion with students. The code shall be referenced in all handbooks. All school employees shall be provided copies of the code.

SECTION II.

A. Purpose of the Student Discipline Guidelines:

- Assist school districts with Safe School Plans.
- Assess school safety and discipline needs.
- Analyze district level data, resources, policies, and procedures.
- Identify district-wide needs through an individual school assessment process.
- Identify immediate and long-term strategies that address school safety and discipline.

B. Student Discipline Guideline Objectives:

- Ensure school safety.
- Improve the learning environment.
- Improve student achievement.
- Reduce the dropout rate.

C. Principles to Guide Local School Districts and School Councils:

- Statewide Data on Major Discipline Problems - Collect and disseminate the Safe Schools Project results.
- Reasons Why Students Dropout of School - Collect and disseminate the Student Dropout Survey results.
- Successful Strategies Used in Kentucky and Other States – Collect and include in the student discipline guidelines.

D. Formation of a Code of Acceptable Behavior/Discipline Recommendations:

- Classroom Management Techniques (identify appropriate discipline and classroom management techniques to carry out the code).
- Expected Behavior (identify types of behavior expected from each student)
- Consequences (identify consequences for failure to obey the standards)
- Responsibilities (identify student, parent teacher, counselor, and principal responsibilities)
- Due Process (identify procedures for student due process because of school suspension, exceptional children, primary)
- Non-Discrimination (cite reasons why the code of behavior and discipline should be uniformly applied to each student at the school without partiality or discrimination)
- Communication (establish procedures for school postings, dissemination to guidance counselors, use in student discussion, inclusion in school handbooks and providing copies for employees and parents)
- School Property Incidents (identify procedures for school property incidents and law enforcement)

- Immediate Removal from the Classroom (develop procedures for threatening or violent student removal or suspension from the classroom).
- Intervention Strategies (discipline action up to and including expulsion from school for weapons, drug, assault, and abuse violations) (dropout prevention for requesting districts and KDE dropout reporting requirements)

SECTION III.

A. Student Discipline Guidelines (Inclusion Sections):

- Introduction
 1. Philosophy
 2. Rationale
 3. Mission
 4. Beliefs

B. District Management Standard (Inclusion Examples):

- Orderly operation of schools
- Appropriate Student Supervision
- Opportunities for high student achievement in a productive learning environment
- Support and assistance for students at risk of failure
- Planned and positive school atmosphere
- Regular and punctual school attendance
- Respect for school property
- Cooperation and productivity

C. District Process/Procedure (Inclusion Examples):

- Rights & Responsibilities (students, parents, teachers, principals, transportation)
- Student Conduct
- Disciplinary Action/Consequences (sequential)
- Grievance Procedures
- Transportation
- Special Education
- Alternative Education
- Drug Policies

- Physical Restraint
- Time Out Room Use
- Field Trips
- Reports To Law Enforcement
- Parent/Student Consent Form
- Definitions

SECTION IV.

A. Responsibility and Authority of the District Board of Education

<u>Issue:</u>	<u>KY Statutes:</u>	<u>KY Regulations:</u>	<u>Other:</u>
State-wide Student Discipline Guidelines Authorization	<u>KRS158.148</u>	<u>704 KAR 7:050</u>	<u>56 OAG 38, 720</u>
Parent/Student Distribution and Public Inspection	<u>KRS.148 (4)(d)</u>		
Gun-free provision	<u>KRS.150 (2)</u>		
Criminal Acts Reporting in close Proximity to a Public School	<u>KRS.158.155</u>		
Board Requirement to Adopt Policies Concerning the Conduct and Discipline of Students	<u>KRS 158.440</u> <u>KRS 160.290</u> <u>(1)(2)</u>		
Center for School Safety Responsibility For Developing Model Contracts for Cooperative Education-related Services	<u>KRS 158.443</u>	<u>House Bill 330</u>	
School Safety and Discipline Assessment	<u>KRS 158.445</u>		
Student Code Including Student Responsibilities	<u>KRS 160.295</u> <u>KRS 160.295 (6) (a)-(f)</u>		
Student Policies on File in Central Offices	<u>KRS 160.340 (2)(b)</u>		
Attention to Student Rights	<u>KRS161.180(1)</u>		

B. Responsibility and Authority of the Superintendent and District

<u>Issue:</u>	<u>KY Statutes:</u>	<u>KY Regulations:</u>	<u>Other:</u>
Superintendent Responsibility for "overall implementation and supervision" of the District Discipline Code	<u>KRS 158.148 (4)(a)</u> <u>KRS 160.370</u>		
Superintendent Authority to Suspend Students	<u>KRS 158.150(5)</u>		

C. Responsibility and Authority of the School-based Decision Making Council

<u>Issue:</u>	<u>KY Statutes:</u>	<u>KY Regulations:</u>	<u>Other:</u>
Adoption of Policies Addressing "selection And implementation of discipline and classroom management techniques a part of the comprehensive school safety plan..."	<u>KRS 160.345 (2)(i)3</u> <u>KRS 158.148 (4)</u>		

D. Student Rights and Responsibilities

<u>Issue:</u>	<u>KY Statutes:</u>	<u>KY Regulations:</u>	<u>Other:</u>
Conduct Conformity/ Disciplinary Action	<u>KRS 158.150(1)</u> <u>KRS 158.150 (1)(a)(b)</u>		
Conduct Infringing on the Rights of Others	<u>KRS 160.295(7)</u>		
"should have access to a safe, secure and orderly school that is conducive to learning"	<u>KRS 158.440</u>		
Code Applied Uniformly and Fairly, without Partiality or Discrimination	<u>KRS 158.148 (4)(c)</u>		

SECTION V.

A. Legislation References to Develop District Board Policies and Discipline Guidelines.

<u>Process/Procedure:</u>	<u>KY Statute:</u>	<u>KY Regulation:</u>	<u>Other:</u>
Due Process	<u>KRS 160.295 (6)(a)-(f)</u> <u>KRS 158.150</u>	<u>704 KAR 7:050</u>	
Discrimination			<u>1st/14th</u> <u>Amendments</u>
Student Records Disclosure	<u>KRS 61.878 (1)(a)</u> <u>KRS 61.878 (1)(k)</u> <u>KRS 160.700</u> <u>KRS 160.705</u> <u>KRS 160.710</u> <u>KRS 160.720 (2)(c)(d)</u> <u>KRS 160.730</u>		<u>Family Educ.</u> <u>Rights and</u> <u>Privacy Act</u> <u>1974</u>
Student Records Maintenance	<u>KRS 159.100</u> <u>KRS 161.200</u>	<u>702KAR 7.050</u>	
Student Records Transfer	<u>KRS 158.032 (3)(4)(5)</u>		
Grades, Grade Reduction & Loss of Credit	<u>KRS 159.150</u>	<u>704 KAR 7:050</u>	<u>75 OAG 68</u> <u>79 OAG 124</u> <u>79 OAG 539</u>
Search & Seizure	<u>KRS 158.150 (1)(a)</u> <u>KRS 158.441</u>		<u>4th Amendment</u> <u>79 OAG 168</u> <u>93 OAG 32</u>
<u>Student Consequence Options:</u>	<u>KY Statutes</u>	<u>KY Regulations</u>	<u>Other</u>
Alternative Education	<u>KRS 158.150</u> <u>KRS 158.44 (2)(1)</u> <u>KRS 160.345 (1)(b)</u> <u>KRS 160.345 (1)(b)(3)</u> <u>KRS 161.020</u>	<u>703 KAR 4:080 (5)</u> <u>704 KAR 20:165 (14)</u>	

Corporal Punishment	<u>KRS 160.345</u> <u>KRS 503.110</u>		<u>78 OAG 704</u>
Non-discrimination/ Children with Disabilities: (Suspension/Expulsion)	<u>KRS 157.200</u> <u>KRS 158.150</u>		<u>Disabilities Ed.</u> <u>Act (IDEA) 20</u> <u>U.S.C./1412</u> <u>1997</u> <u>P.L. 105-17</u>
Non-discrimination/ Children with Disabilities: (Weapons/Illegal Drugs)	<u>KRS 158.140</u> <u>KRS 158.150 (4)(5)(7)</u>		<u>21 U.S.C.</u> <u>(812)</u>
Disciplinary Action/ Expulsion/Suspension	<u>KRS 157.320(1)</u> <u>KRS 158.140</u> <u>KRS 158.148</u>	<u>704 KAR:050</u>	<u>KY., 521 S.W.</u> <u>2d, 76 (1975)</u>
	<u>KRS 158.150</u> <u>KRS 158.150 (1)(2)</u> <u>KRS 158.150 (4)(5)(7)</u>		<u>77 OAG 547/</u> <u>312</u> <u>84 OAG 65</u> <u>21 U.S.C.(812)</u>
In-School Alternative to Suspension (alternative education programs)	<u>KRS 158.148</u>		
Detention			<u>61 OAG 293</u>
Probation	<u>KRS 160.290</u>		

Student Violations

KY Statutes:

KY Regulations:

Other:

Attendance	<u>KRS 159.010</u> <u>KRS 159.010 (2)(4)</u> <u>KRS 159.030</u> <u>KRS 159.051</u>		
Drugs/Alcohol	<u>KRS 158.150</u> <u>KRS 218A.500</u> <u>KRS 218A.510</u>		<u>Drug Free</u> <u>Schools</u> <u>Community</u> <u>(1989)</u> <u>82 OAG 633</u>

Tobacco	<u>KRS160.290</u> <u>KRS160.340</u> <u>KRS 438.050</u> <u>KRS 438.311</u>		<u>Pro-Children</u> <u>Act of 1994</u> <u>79 OAG 168</u> <u>93 OAG 32</u>
Truancy	<u>KRS 159.010</u> <u>KRS 159.080</u> <u>KRS 159.130</u> <u>KRS 159.150</u>		
Theft/Vandalism	<u>KRS 158.150</u> <u>KRS 405.025</u>		
Student Dress Code	<u>KRS 160.290 (2)</u> <u>KRS 160.295 (6)(a)</u>	<u>704 KAR 7:050</u>	<u>1st & 14th</u> <u>Amendments</u> <u>72 OAG 593</u> <u>73 OAG 223</u> <u>73 OAG 284</u>
Weapons	<u>KRS 158.154</u> <u>KRS 158.150 (2)(3)</u> <u>KRS 527.020 (3)</u> <u>KRS 527.100 (3)</u>		<u>Federal Gun</u> <u>Free Act (1994)</u>
Bus Discipline	<u>KRS 158.150</u> <u>KRS 161.180</u>	<u>702 KAR 5:050</u> <u>702 KAR 5:080</u>	<u>78 OAG 392</u>
Personal Telecommunication Devices	<u>KRS 158.165</u>		<u>National School</u> <u>Lunch/Child</u> <u>Nutrition Act</u> <u>(1966)</u>
Gangs	<u>KRS 158.150</u> <u>KRS 160.295</u> <u>KRS 506.130</u> <u>KRS 506.140</u>		<u>57 OAG 40,812</u>

